

EXHIBIT A

to

PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LIBERTARIAN PARTY OF
PENNSYLVANIA, et al.

Plaintiffs,

vs.

TOM WOLF, in his official capacity as
Governor of the Commonwealth of
Pennsylvania, et al.

Defendants.

Case No: 5:20-cv-2299

Judge Smith

DECLARATION OF DREW G. MILLER
IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS

(pursuant to 28 U.S.C. §1746)

I, Drew G. Miller, counsel for the Plaintiffs in the above captioned case, hereby declare under oath and subject to the penalty of perjury that the following is true and correct to the best of my knowledge:

1. The calculations used to determine the population of the Pennsylvania Counties listed on the spreadsheet provided to the Defendants and Potential Intervener were obtained from the U.S. Census Bureau's 2019 population estimates.¹

¹ https://www.census.gov/search-results.html?q=population+Pennsylvania+counties&page=1&stateGeo=none&searchtype=web&cssp=SERP&_charset=UTF-8 (accessed June 12, 2020).

2. The classification of counties as being either the “green phase” or the “yellow phase” came from the Commonwealth of Pennsylvania’s website on a page titled, *Responding To COVID-19 In Pennsylvania*, and in a section titled, *What Phase Is My County In?*²
3. The calculations for the total population of counties in the green phase (3,772,932) and total population of counties in the yellow phase (9,030,931) were calculated by inputting the county population numbers from the aforementioned U.S. Census data and using Microsoft Excel’s sum feature to add all of the population cells in the green counties and all of the population cells in the yellow counties.
4. The calculations for the total PA population were calculated by using the sum feature in Microsoft Excel to add the total populations of the green phase counties and the total population of the yellow phase counties to arrive at the total number of 12,803,863.
5. The calculations to obtain the percentage of the total PA population that is in the green phase were obtained by using Microsoft Excel to divide the total population of the green phase counties (3,772,932) by the total PA population (12,803,863) and then changing that number to a percentage, being 29.467%.
6. The calculations to obtain the percentage of the total PA population that is in the yellow phase were obtained by using Microsoft Excel to divide the total population of the yellow phase counties (9,030,931) by the total PA population (12,803,863) and then changing that number to a percentage, being 70.533%.

Executed: June 12, 2020



Drew G. Miller

² <https://www.pa.gov/guides/responding-to-covid-19/#WhatPhasesMyCountyin>

YELLOW COUNTIES		GREEN COUNTIES	
County	Population	County	Population
Adams	103,009	Allegheny	1,216,045
Beaver	163,929	Armstrong	64,735
Berks	421,164	Bedford	49,762
Bucks	628,270	Blair	121,829
Carbon	64,182	Bradford	60,323
Chester	524,989	Butler	187,853
Columbia	64,964	Cambria	130,192
Cumberland	253,370	Cameron	4,447
Dauphin	278,299	Centre	162,385
Delaware	566,747	Clarion	38,438
Erie	269,728	Clearfield	79,255
Franklin	155,027	Clinton	38,632
Huntington	45,144	Crawford	84,629
Juniata	24,763	Elk	29,910
Lackawanna	209,674	Fayette	129,274
Lancaster	545,724	Forest	7,247
Lebanon	141,793	Fulton	14,530
Lehigh	369,318	Greene	36,233
Luzerne	317,417	Indiana	84,073
Mifflin	46,138	Jefferson	43,425
Monroe	170,271	Lawrence	85,512
Montgomery	830,915	Lycoming	113,299
Northampton	305,285	McKean	40,625
Northumberland	90,843	Mercer	109,424
Perry	46,272	Montour	18,230
Philadelphia	1,584,064	Potter	16,526
Pike	55,809	Snyder	40,372
Shuylkill	141,359	Somerset	73,447
Susquehanna	40,328	Sullivan	6,066
Union	44,923	Tioga	40,591
Wayne	51,361	Venango	50,668
Wyoming	26,794	Warren	39,191
York	449,058	Washington	206,865
		Westmoreland	348,899
TOTAL	9,030,931	TOTAL	3,772,932
% OF TOTAL POP	70.533%	% OF TOTAL POP	29.467%
			TOTAL PA POPULATION
			12,803,863